

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32216 of 2024**

Arising Out of PS. Case No.-50 Year-2024 Thana- LAUKAHI District- Madhubani

Indradeo Yadav @ Inardeo Yadav S/o Parmeshwar Yadav R/o vill - Kariyout,
P.S. - Laukahi, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 29-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Laukahi
P.S. Case No. 50 of 2024 instituted for the offences under
Sections 20 and 22 of the N.D.P.S Act.

3. Prosecution allegation, in short, is that the when
police personnel raided the shop of one Inardeo Yadav (the
petitioner herein), the petitioner was arrested. Thereafter, a
search was made in the electronic shop of the petitioner and a
black coloured bag containing 9 kg Ganja was recovered and
seizure list thereof, was prepared which is attached with the
FIR.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case due to dirty village politics. The petitioner has been made accused in this case on the instigation of village chaukidar Arjun Kumar and Laxmeshwar Paswan who was demanding bribe. Charge-sheet been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner further submits that the recovered contraband is below the commercial quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. The petitioner has made accused in one another case vide Laukahi P.S. case No. 257 of 2021 in which he is on bail. The petitioner is in custody since 11.03.2024. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the recovered contraband being below the commercial quantity and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on



furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Laukahi P.S. Case No. 50 of 2024 subject to the following conditions.

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Prakash/-

U			
---	--	--	--

